

Message Text

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ACTION NEA-12

INFO OCT-01 EUR-25 IO-13 ISO-00 L-03 H-03 SY-10 SS-15

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TO AMEMBASSY ATHENS IMMEDIATE

SECSTATE WASHDC PRIORITY 4365

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USMISSION USUN NEW YORK

AMEMBASSY ROME

C O N F I D E N T I A L BEIRUT 11212

EO 11652: GDS

TAGS: CASC PINS IT SY (BATES, JONATHAN)

SUBJ: BATES CASE

REF: BEIRUT 11165 (NOTAL) AND 9964

1. ACCORDING INFO TELEPHONED BY CARDILLI, CURT UNABLE REACH DECISION DURING SEP 20 SESSION. COURT ANNOUNCED IT LACKED CERTAIN "ESSENTAIL ELELMENTS" AND WISHED OBTAIN IDENTITIES OF SECURITY AGENTS CONDUCTING INITIAL INVESTIGATION. HEARING SCHEDULED NOV 4 TO RECEIVED THESE NAMES. CARDILLI BELIEVES THAT FOLLOWING THIS SESSION COURT WILL DIRECT "SUPPLEMENTARY INVESTIGATION". WE WILL BE DISCUSSING MATTER IN DETAIL WITH CARDILLI IN BEIRUT BUT APPEARS DOUBTFUL COURT DECISION BE REACHED BEFORE END OF YEAR AT EARLIEST.

2. CARDILLI QUOTES LAWYER AS STATING "COURT HAS INSUFFICIENT EVIDENCE TO CONVICT BUT LACKS COURAGE TO ACQUIT". OBVIOUSLY SITUATION IN DAMASCUS PARTICULARLY DIFFICULT AT THIS TIME, AS ANTI-AMERICAN
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PRONOUNCEMENTS RAMPANT FOLLOWING DISASTROUS AIR BATTLE

WITH ISRAEL. POSTPONEMENT IS, OF COURSE, EXTREMELY DISAPPOINTING. IT MAY BE, HOWEVER, THAT COURT FELT PRESENT ANTI-MERICAN CLIMATE LEFT IT NO OTHER ALTERNATIVE TO HARSH SENTENCE.

3. WE WILL DISCUSS NEXT STEPS WITH CARDILLI DURING HIS NEXT VISIT TO BEIRUT, WHICH MAY BE EITHER SEP 27 OR OCT 4.

4. WE ASSUME PROFESSOR BATES WILL NOW REACTIVATE HIS REQ TO VISIT DAMASCUS. CARDILLI STILL UNABLE ENDORSE TRIP. HE BELIEVES VISIT CANNOT ASSIST SON'S CASE AT THIS TIME. HE AGREES, HOWEVER, THE TRIP WILL NOT HARM CASE. HE IS EXTREMELY CONCERNED, HOWEVER, REGARDING EFFECT OF TRIP ON PROFESSOR BATES' HEALTH. GIVEN PROFESSOR BATES' AGE AND HISTORY OF HEART ATTACKS, RIGORS OF TRIP, HEALTH CONDITIONS IN DAMASCUS AND STRESS OF SEEING SON COULD EASILY INDUCE FURTHER ATTACKS. CARDILLI WISHES US EMPHASIZE TO PROF BATES THAT MEDICAL FACILITIES VERY LIMITED AND ENGLISH SPEAKING CARDIOLOGIST NON-EXISTENT. (DECISION IS OF COURSE UP TO PROF BATES BUT BELIEVE BATES FAMILY SHOULD CAREFULLY WEIGHT ABOVE DESIDERATA.)

5. FOR ATH: PLEASE PASS SUBSTANCE THIS TELEGRAM TO PROF BATES WITH OUT SINCERE REGRETS NEWS COULD NOT HAVE BEEN BETTER. PLEASE ASSURE HIM WE WILL CONTINUE TO WORK WITH ITALIANS IN EFFORT HASTEN SATISFACTORY RESOLUTION CASE. HOUGHTON

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